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~~No Change in Class.~~

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OGC Has Reviewed

Lt. Col. George S. Westerman
Chief of Patents Division
Office of the Judge Advocate General

Dear Sir:

This letter will confirm our recent discussions concerning the development of suitable procedures with respect to inventions or discoveries made by employees under the jurisdiction of the Central Intelligence Agency. We refer specifically to the inventions or discoveries which are subject to Executive Order 10096 and the administrative orders issued thereto.

As you know, our traffic in patent matters has been minimum. We believe that it will continue so. Our staff and facilities for the processing of patent matters is accordingly most modest. Your willingness to lend the competency of your staff and facilities in these matters is therefore sincerely appreciated.

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Pursuant to Executive Order 10096, an administrative determination has been made by interested Patent Boards that no assignment of title to the Government is required. However, it appears that the modification is liable to be used in the public interest, for which reason the employee has been asked to grant to the Government an irrevocable, non-exclusive, royalty-free right and license. It is our understanding that the following documents are required or desired at this time:

- (1) Certificate by Agency head that the improvement is likely to be used in the public interest within the purview of 35 USC 266;
- (2) License agreement by employee to Government pursuant to 35 USC 266 (This anticipates a patentable improvement);
- (3) Photographs of working model; and
- (4) Specifications correlated to the photographs.

As we previously mentioned, the publication of letters patent on the subject improvement would not be in the best interest of the Government. For this reason, we request that any letters patent be subject to the provisions of a secrecy order pursuant to applicable statutory and regulatory procedures.

Very truly yours,

LS
Lawrence R. Houston
General Counsel

Enclosures

cc: DD/S

EE [REDACTED]

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